



152 3731

Patitioner's Docket No. 117163.00032

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Schaldach et al

Application No.: 09/996,061

Group No.: 3731

Filed: 11/27/2001

Examiner: Michael H. Thaler

For: STENT INCLUDING HUMAN OR ANIMAL TISSUE

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

■ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

■ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

□ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

□ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Date:

June 16, 2005

Signature

Debra L. Klapp

Debra L. Klapp

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY				
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA					
				RATE	ADDIT. FEE			
TOTAL	28	- 52	= 0	x \$ 50.00	= \$			0.00
INDEP.	1	- 3	= 0	x \$ 200.00	= \$			0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 360.00	= \$			0.00
				TOTAL				
				ADDIT. FEE	\$			0.00

No additional fee for claims is required.

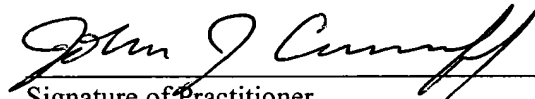
### FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 15-0450.

If an additional fee for claims is required, charge Account No. 15-0450.

Date: 16 June 2005

Reg. No.: 42,451  
Tel. No.: 330-864-5550  
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Signature of Practitioner  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor: Schaldach, et al. Examiner: Michael H. Thaler  
Ser. No. 09/996,061 Group Art Unit: 3731  
Title: Stent Including Human or Animal Tissue  
Filed: 27 November 2001 Date: June 14, 2005

**RESPONSE AND AMENDMENT**

In response to the Office Action mailed 30 March 2005, please amend the above-identified application as follows:

AMENDMENTS TO THE SPECIFICATION - None.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 2.

AMENDMENTS TO THE DRAWINGS - None.

REMARKS/ARGUMENTS begin on page 11.